

East Longmeadow Planning Board

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since 1894

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Minutes of March 11, 2014

Present were: Chair, Michael Carabetta; Vice Chair, Alessandro Meccia; Clerk, Tyde Richards, George Kingston and Ralph Page.

ANR – Prospect Street, Maybury

Present was Laurence Levine for Mr. Maybury.

Mr. Carabetta explained that the Board had some questions from their last meeting with regard to the ANR for Prospect Street one of which was access and the other was about retaining walls.

Attorney Levine presented himself on behalf of the applicant said that they have made provisions on the plan they have before them. He said that the retaining walls are not on the non-sub lots and said that they didn't see the importance of having them because it really didn't affect the proposed non-sub.

Mr. Page said the Board is concerned with the Prospect driveway and the retaining wall across along the entire front of what will be the remaining lot. He said the wall is about 3 feet in height and part of requirements is that fences, walls, easements, proposed easements are shown on the plan and they are not. He said that all he is asking is to show what is required of the subdivision rules & regulations.

Attorney Levine said that they can revise the plan and put the retaining wall along Prospect Street.

Mr. Page said the other thing that is required are setbacks and they have side yard setbacks but no front setbacks. Attorney Levine said that they didn't do those because the structures have been in existence for many years and in fact showing the setbacks might be somewhat misleading because when they were constructed they didn't have to have the dimensional setbacks required in the zone. He said because there are houses that are closer and they were able to use the average and said that they can put them in on the plan.

Mr. Carabetta said that he thinks he would rather have that rather than trying to explain why it is not on there.

Mr. Page asked if there is going to be an easement issued so that the driveway can be continued to be used. He then asked the Board if they could grant an easement because then it would become a common driveway for two separate lots.

Attorney Levine said that Sandra Maybury owns both parcels and as long she owns both abutting lots there is no reason to create an easement. He said that he has advised Ms. Maybury one day if she conveys one of the lots it would be at that time it would be created if she wanted to retain the use of the driveway. He said since it is now in fee ownership he said it is a merger concept there is absolutely no need to have an easement created at this point. Mr. Page asked where the accessibility would be to the remaining lot. Attorney Levine said they will continue the driveway as it is shown and there is no reason to create an easement because she owns both parcels. He said if she were to convey either parcel at that point he would advise her to create an easement and have an agreement regarding maintenance, insurance, etc. Attorney Levine said that there is no easement right now, there is no necessity under the non-sub approval process to create one and if there was an easement they would show it to the Board.

Mr. Carabetta said that the Board would like for them to give them time to check with their Attorney on a couple of the issues.

Mr. Levine said that he understands the questions but for that process their questions are somewhat irrelevant. He said that they may have requirements within their regulations to show easements and stone walls but their approval or non-approval of a non-sub plan is not based on the accessibility issue because it's frontage on a public way and the driveway is existing.

Upon motion duly made by Alessandro Meccia and seconded by George Kingston, the Board voted unanimously (5-0) to request an extension for the ANR decision until March 25, 2014.

Public Hearing Special Permit & Site Plan Review – Chalmers Enterprises, LLC, Gas Station & Convenience Store, Chestnut Street & Shaker Road

Chair, Michael Carabetta opened the public hearing and Clerk, Tyde Richards read the legal notice and correspondence into the record.

Police recommended:

- Exterior lighting should be installed to minimize the impact on surrounding residential properties.
- Any signs should be installed so they do not impact the visibility at the intersection.
- Traffic study indicates an estimated 1950 trips entering and existing the site plan indicates only one curb cut on each of the streets will be left open. A review of the location indicated sufficient distance from the actual intersection on Shaker Road for the proposed driveway to function without any significant problems. However, the proposed driveway location on Chestnut Street is

located too close to the intersection to allow exiting vehicles an opportunity to safely enter traffic flow. The driveway connects with Chestnut Street approximately one vehicle length back from the stop line.

- A potential exists for vehicular traffic to utilize the driveway at the site to circumvent traffic stopped for the traffic light to access Westbound flow on Chestnut Street from Shaker Road.
- The proposed sidewalk connection to the Bike Path should connect at a point back from the roadway and behind the island with the bollard.
- Center lines for both driveways and arrows on pavement to indicate lanes for entering and exiting the site
- Parking spaces along north side are indicated in traffic study but none are on the site plan.
- It is estimated there will be an increase in police response due to this project.
- Any plantings should be located so as not to interfere with vehicle operators visibility entering and exiting the site. Additionally consideration should be given to visibility at the intersections.

Letter from Michael & Grace McCarthy, 73 Prospect Street wrote that they supported the project.

Franklin Miorandi, Assistant Town Engineer wrote:

- The curb circles at the entrance and exists are now shown to be granite radii.
- The sidewalk along Chestnut Street has been extended to the rail trail.
- Notes have been added to the plan to maintain the existing concrete bounds.
- The access egress driveway on Chestnut Street has been shifted approximately fifteen feet westerly away from the intersection , however concerns regarding safety and traffic flows remain.
- Painter stop bars and centerline striping have been shown on the plan.
- An asphalt lip has been added to Shaker Road driveway to deter water from entering the site.
- A grade change was designed at Chestnut Street driveway to deter surface water from the site onto Chestnut Street. A catch basin was added to this location.

Other items yet to be resolved:

- This department requested on-site testing to confirm design of assumptions regarding the drainage system. The system was

designed without soil evaluation. We cannot approve the drainage design without these logs.

- Traffic study please refer to the memo attached from Robert Peirent, P.E to Robyn Macdonald, Director of Planning and to the Planning Board dated March 10, 2014.

Memo from Robert Peirent, Superintendent:

As discussed at our roundtable meeting this morning, I believe the study is lacking in a number of areas and requires updating before acceptance by the Planning Board.

The study contains no discussion of the negative impacts that the development would have on safety in the area of the intersection and most critically, the existing Bike Path. The study should also consider the impacts of vehicle traffic from La Fiorentina, which is located directly across from the proposed development, and Lenox Saw, which is located just beyond the proposed development across the bike path. The study only considers the impact of the development on the intersection capacity and level of service, which is only part of our concerns regarding the project. There is no question that the development will increase the potential for vehicle to vehicle and vehicle to pedestrian collisions in the area and the application should be required to evaluate these impacts and proposed reasonable mitigation measures.

Based on a review of ITE trip generation criteria, the study underestimates the impact of the development on the function of the existing intersection. The study uses the least conservative of the two applicable ITE trip generation criteria for convenience store/gasoline station projects. Use of the more conservative criteria appears to be most applicable to the proposed project since the planned "co-branding" use of the building will make the convenience store a stand-alone vehicle destination instead of just an accessory to the gasoline station.

The updated traffic study incorrectly states the convenience store size to be 2,320 sf (probably a typographic error from the previous study which reported a size of 4,230 sf). The plans submitted to the Town indicate the first floor of the building will be 4,500 sf with a basement of unspecified size. The applicant should confirm the proposed square footage of the basement and add this to the first floor value to provide a total proposed building square footage value. Trip generation rates should be based on this total square footage unless the applicant can conclusively demonstrate that a portion of the basement square footage is not used to support the first floor area in the same manner that storage space would typically be counted

in the total square footage of a single story convenience store.

Personal observations on the evening of March 7th suggest the Northern Shaker Road approach to the intersection functions at a Level of Service D not C as calculated in the updated study. The queue length on a "typical" Friday PM peak was in excess of 800 feet and took multiple light cycles to clear. This downgrade to the Shaker Road approach LOS combined with the LOS "D" calculated by the applicant for the Chestnut Street eastern approach may result in an overall downgrade of the intersection LOS to D during the PM peak. The impacts of the proposed development will likely increase as a result of a change in LOS as well as increased trip generation rates discussed above. Also as discussed, the Planning Board should keep in mind that use of average daily traffic (ADT) data, as is common in studies of this type, will result in traffic volumes that are greater than estimated during many peak periods and volumes less than these estimates during other periods.

Lastly, I understand that the applicant's engineer for the updated study was unable to visit the intersection during peak vehicle periods. I'd recommend that the site be visited by the engineer at a similar time as I did so my observations may be confirmed.

Attorney James Martin representative for Chalmers Enterprises said that Chalmers is a real estate holdings entity that is owned by the Davis family owners of American Saw, Developers of Great Woods and the Fields at Chestnut. He then introduced present with him that evening Drew Davis, Applicant; Mark Smith, Engineer and Steve Alman, Traffic Engineer from the Benesh Company. Attorney Martin said that they were pleased to find the L.E. Belcher Company, a local company and present that evening was Ed Hough, President; David Ryan; Nathan Deyo and Attorney Jim Sheils. He said that they moved forward with the project and hired Mark Smith to do a design for the station and then they brought it to the town informally and met with Ms. Macdonald and Mr. Miorandi and got some excellent feedback from them.

Attorney Martin said that Mr. Smith revised the plans for the filing of the Site Design Review and had round table and got excellent feedback. He said the things that Mr. Miorandi suggested were done, change in the granite curbs, some flow issues, some pack lighting, moving the handicapped space and he thinks they have gone through the initial list and every change was made to the plan that was requested by the town. Attorney Martin said that the issued remained traffic and at the first round table they submitted a traffic study done by a company in Westfield. He said that the current DPW Superintendent, Bob Peirent asked for a traffic engineer analysis not just a count.

Attorney Martin said that he asked for certain specific studies to be done by a certified qualified engineer. He said that Steve Alman was hired from the Benesh Company and Mr. Alman did a very detailed analysis and did every test and analysis that Mr. Peirent asked for including intersectional analysis. Attorney Martin said when it was all boiled down the data supported the analysis and the design they had laid out initially. He said keeping in mind that they have already closed two curb cuts in the analysis and some of the changes that were requested such as the driveway onto Chestnut

was moved back. Attorney Martin said that they were going to extend the sidewalk for the town from the Bike Path so people wouldn't go to the Bike Path and go into the road and into the driveway if they wanted to get a bottle of water or use the restroom. He said all of those design changes were made including the flow changes. Attorney Martin said that Mr. Alman's analysis covered the traffic level and the impact is on the site and the Davis family and the Hough family wanted the safest possible operation with two employees working in their store at all times. Attorney Martin said every change they worked on was for improving safety and that every change has been made thoughtfully in terms of how the flow of traffic will be internally. He said that they made all of the changes the Police Department requested in terms of having dividing lines coming in and out and bollards where they wanted them. Attorney Martin said after the second round table Mr. Alman presented his analysis and his data supported the flow and he will explain that to them. He said one issue was how they would restrict traffic onto Chestnut Street turning right and there seemed to be support for that by the engineer but the further studies that they heard indicate that is not the safest way to go. Attorney Martin said when they get to the actual review of the process they will how Mr. Alman laid out the store and storage basement and said that there are five fueling stations/ ten pumps. He said that they have received approval from the Conservation Commission and an Order of Conditions was issued. Attorney Martin said that they have taken the best measures as they can to give as much barrier and protection to the neighbor to the north. He said the development of the site and the set-back of the building will clear all the site lines of that traffic and the elevation will be brought up and flattened and the ground cover is decorative landscaping that will not hinder visibility at all. He said that they feel that they tried to the best they can to address all the issues and make it a very safe and user friendly operation. Mr. Martin added that Mr. Alman will give the Board all of his analysis on as to why the right turn restriction is not safe or not as safe as what he has proposed.

Mark Smith, Benesh Company, 90 National Drive, Glastonbury CT said the proposed site development is a 4,500 square foot convenience store and they anticipate half of that being a basement. Mr. Smith said the basement is strictly for storage and if they didn't have a basement it really wouldn't change the convenience store layout on the first floor tremendously. He said they have got five gasoline dispensers which is five individual pump islands with two fueling positions on each island for a total of ten. Mr. Smith said that there are currently four curb cuts, two on Chestnut Street and two on Shaker Road and they are taking the Shaker Road curb cut and moving it as far as practical from the intersection. He said that they have been trying to optimize the Chestnut Street curb cut mindful of the proximity to the intersection with Shaker Road but also very mindful of the Bike Trail. Mr. Smith said that they feel that is an appropriate location for that curb cut because it lets them get into the site and access the drive isle they have for both the fueling dispensers and the parking area. He said that there was mention at the round table about the sidewalk connection, the walk connection to the Bike Trail and they show it connecting all the way to the Bike Trail. Mr. Smith said that they were able to maintain perimeter landscaping and at the narrowest point they have a 70 to 80 foot buffer on the north side. He said that they have a landscaped island in the front because the site is 1.8 acres so they were able to meet all the zoning requirements for setback and lot coverage without any difficulty. Mr. Smith said there will be lower shrubs and ornamental grasses in the islands and nothing at the intersection such as a sign to block the site line and all trash pickups and deliveries will be outside of the traffic pattern.

Mr. Carabetta asked what the dimension from the corner of the building to the end of the asphalt going northeast is. Mr. Smith said that it's about 45 feet and there is generous circulation around the islands. He said that the dispensers are arranged so a driver can access them from any available

fueling position and won't have to wait for anybody to move out of the way. Mr. Smith said that drainage patterns are designed so that everything drains to the northwest and they put in stormwater treatment units for all of their recharge. He said the vast majority of the site is going to be directed so that anything that is paved is going to be captured in catch basins and run through a treatment unit.

Mr. Smith said at this point the applicant is not certain what fuel brand it will be and L.E. Belcher does brand themselves depending on the location situation so the brand could be Citgo, Shell, Irving or Gulf. He said the goal of the applicant is to make it a nice neighborhood type station and that they have left room for a patio for some outdoor seating which they imagine that some of the Bike Trail people might take advantage of. He said that they kept the perimeter lighting to a minimum and there will be lighting underneath the canopy. Mr. Smith said that it's all LED lighting and they can direct the lighting wherever they want so they can minimize any spillage off site and the canopy lights are flush mounted to the canopy deck. He said that the fire suppression system will be a dry chemical that will be reviewed by the local Fire Marshall and the State Fire Marshall. Mr. Smith said L.E. Belcher always operates with two employees in addition to general safety it lets their attendant attend the fueling operation and not be distracted by things going on in the store.

Steve Alman, Traffic Engineer said that he was brought on about 2 weeks ago to update the study that was done by someone else. He said there that were many inconsistencies with the original study done back in September then what actually ended up on the table. Mr. Alman said that the number of driveways were reduced from four to two, the number of fueling stations were reduced from twelve to ten. He said in order to calculate the impact of the development on the roadway network they used the IT trip generation manual for trip generation rates. Mr. Alman said the rate he used was for land use 945 gasoline service station with convenience market. He said that land use is for a facility that is predominately for gasoline where the convenience mart is secondary. Mr. Alman said based on a ten position fueling facility a.m. peak traffic is roughly 53 entering and 53 exiting and peak hour was 68 entering in and 68 exiting. He said that in his study he did not do any pass by trip generation at the request of Bob Peirent because he doesn't feel it should be used there. Mr. Alman said that 50% is probably a little on the high side but people come from Connecticut and go to the rotary to buy gas and go home. He said those people will still come to Massachusetts to buy gas and hopefully stop at their facility to buy gas but they are still going to the same intersection of Shaker Road & Chestnut Street. Mr. Alman said so they will see less traffic than he has generated but he has done a conservative analysis and the existing levels of service at Shaker Road & Chestnut Street are level service C based on the analysis. He said the p.m. is slightly worst and the overall delay in the p.m. existing is almost 25 seconds. Mr. Alman said the Shaker Road site drives operates at level service A and are based on an hourly period. During the p.m. peak the site drive is a level C; turning left the site drive is a level A. He said they have moved the Shaker Road driveway about as far north as they could and it is beyond La Fiorentina. He said the Chestnut Street driveway is problematic. Mr. Alman said to help traffic congestion his first thought was to get it as far away from Shaker Road as they can get it. He said the problem is the further away you get from Shaker Road there is the Bike Trail and people turning right out of the driveway and from his experience having the driveway closer to Shaker Road is an operational capacity issue.

Mr. Alman said in his mind the closer you get to a pedestrian crossing becomes a safety issue and the further away you are allows that driver to pull out of the driveway, get turned and get moving and become aware of their surroundings. He said that speed limit signs are always 100 feet beyond the intersection and you will find if you are actually paying attention to the road as you drive and make the

turn by the time you are paying attention to the road that speed limit sign is behind them. Mr. Alman said from a pure pedestrian stand point you want that driveway as close to Shaker Road as you can get it. He said that they are juggling a position so if they move the driveway a little bit further towards the bike path about 10 to 15 feet that puts it more than 50 feet from the stop mark which allows queuing for two vehicles. Mr. Alman said that the post development volume analysis showed that they need queuing length about 35 feet around two vehicles and left turns 95 percent of the times will be shorter from where the driveway is so there will be to get around left turn vehicles during the peak period. He said the next part about the safety of the pedestrian crossing is the signage and the signage out there is one sign 30 x 30, the old standard warning yellow sign. Mr. Alman said that he made a suggestion of a three sign panel bright fluorescent yellow and it may look like overkill but he wanted to get as much of that fluorescent yellow sign as much in the driver's eye as they go up Chestnut Street towards the bike path. He said that he thinks that is an improvement to what is out there and based on his analysis he believes everything will operate safely and efficiently. Mr. Alman said at their meeting on Monday Mr. Peirent brought up the issue of the trip generation rates and he said that he used land use 945 which is gasoline service station with convenience market. He said that Mr. Peirent believes they should use land use 853 convenience market with gasoline pumps and read the land use descriptions into the record. He said their proposal is for ten positions so he picked land use 945 for the use. He said based on Mr. Peirent's comments he decided to go out and did the analysis based on land use 853 and that is where the square footage comes into play and he assumed the 4,500 square foot facility to the trip generation. Mr. Alman said that says the ADT is 3,803 as opposed to 1,628 and the a.m. peak hour generation would be 184 as opposed to 106 which is 92 entering and exiting and the p.m. peak hour would be 229 as opposed to 135 and he used square foot for the analysis. He said when he did the analysis he found the overall level of service for Shaker Road & Chestnut Street is still a level service C during the morning and afternoon peak period.

Mr. Carabetta asked Mr. Alman to read the definitions of level C & D so that everyone has a better understanding of what they are. Mr. Alman said that there are levels A through F and level A is great is F is failure and said the level C is that you are starting to notice people and have to stating adjust your movements accordingly and level D is things are getting a little bit worst, your having to stop more often and pay more attention. He said in terms of numbers in a signalized intersection level of service C is 20 to 35 second delay and D is 35 to 55 second delay which is how long someone has to wait the light. Mr. Alman said that all approaches operated at D or better during all periods and when Lenox lets out at Chestnut it's about 15 minutes. He said after a shift lets out there are 3, 4 or 5 cycles that are a problem at Chestnut Street and the rest of the time there is no real issue. Mr. Alman said that the he was out there for 45 minutes between 4:00 p.m. and 4:45 p.m. that day and said that is part of the peak period that is analyzed and he saw no queues backing up beyond the second driveway of their site. He said in terms of the prohibiting left turns on Chestnut Street the only real way to do that is to put in a raised island and you run into some real problems creating a raised island that is going to effectively block people from making a left turn. Mr. Alman said that what happens if you put the island there 22 hours during the day there's not going to be a whole lot of traffic and a driver is going to go up to the island and say that they can make a left turn no problem. He said instead of them just going straight and looking to left and looking to the right and turning left they are now angled heading towards the bike path looking over their left shoulder and almost doing a U-turn to make a left turn. Mr. Alman said that is the problem they have with prohibiting right turns, is actually worst on a gas station because tankers are going need to get in and out. He said the second they make that right turn wide enough for a tanker any prohibition is eliminated for the cars to turn left.

Mr. Alman said that his analysis does show that cars can safely and effectively navigate the site as it is designed.

Mr. Smith said that they like the tanks where they are, it's really the best place for them and it gets them out of the traffic pattern and tanker deliveries are going to be a regular thing. He said the shape of the site doesn't allow them to create a situation where the tanker can do a U-turn on site and they really want them to come in on one curb and go out the other.

Mr. Carabetta addressed the Board for any questions.

Mr. Kingston asked what the hours of operation will be. Attorney Martin said 24 hours a day. Mr. Kingston said that he noticed they have outdoor seating and asked if there is going to be any seating indoor seating. Attorney Martin said no. He said being that they are 24/7 the Board has had some concerns with late night noise particularly dumpsters being emptied or replaced. Mr. Kingston asked if there was some kind of restriction they could get so that the neighbors across the street are not hearing dumpsters being emptied at 4:00 a.m.

Drew Davis replied that they could definitely do that.

Mr. Kingston asked what the elevation of the basement floor versus the water table. Mr. Smith said the basement finished floor is at 217.76 and the wetlands are at 215 so they actually wanted to make sure that they could get their footing in there so they intended to get above the water table. Mr. Kingston said that appears to him if someone was trying to make a left from Shaker Road into La Forentina and it backs up traffic and somebody is trying to make a left turn from Shaker Road into their place the are two conflicting left turns and nobody is going to go anywhere. He asked how they see that working out in real time.

Mr. Alman said one of the issues is the grade difference of the parking lot and said that he actually saw two vehicles bottom out pulling into the facility. He said that is part of the problem for people turning into there and is probably a problem pulling out as well so people are afraid and moving more slowly. Mr. Alman said as mentioned if there is a lot of traffic at La Fiornetina they would hope people use the Chestnut Street drive. Mr. Kingston that he needed to raise the issue because it is an issue currently at Christmas and Easter and the day before those holidays. Mr. Alman said that he would also hope when the officer is there he would be cognizant of their driveway as well to help eliminate the grid lock. Attorney Martin added that if the experience happens there will be signs "do not block the driveway" "do not block the entrance". Mr. Kingston said that he has seen those signs at F.L. Roberts at Westwood Avenue & North Main Street which is also a very high volume station and some how or another the traffic seems to work there.

Mr. Page said that it sounds like they are really not sure of the square footage of the basement of the building. He asked if it is going to be half of the building or the full building.

Ed Hough, Chalmers Enterprises said definately not the whole building, it will be half or less because there are utilities down there and they will use it for storage such as paper goods. Mr. Page said that his question is if the entire building going to have a full basement under it and then only half used. He said that he believes that the square footage makes a difference even for storage as far as the amount of parking that is needed which is 1 space per 3,000 square feet. Mr. Hough said that it won't

be and that it will be less than 2,000 square feet. Attorney Martin added that Ms. Macdonald pointed that out at one of the round table meetings and they added a parking space just to be sure and said that it is going to be about half.

David Ryan said the other thing to note is with the additional storage space it cuts down on the delivery truck traffic because they can take in a larger paper good delivery.

Mr. Page said he noticed in the front corner they were talking about a ground sign and asked what type of ground sign are they proposing. Attorney Martin said required by law is a sign showing the three grades of gasoline & prices and the brand of gas. Mr. Page said typically the canopy will be the brand colors of the gas company. Attorney Martin said correct. Mr. Page said at this time they still don't know what type of cobranding is going into the building. Attorney Martin said correct. Mr. Page said from what he has seen there is a lot more traffic typically with a Dunkin Donuts in the morning as compared to a Subway but that would be at lunch time. He said to him it is a convenience store and feels that a lot of people will be using it as a convenience store and thinks it falls somewhere between those two reports. Attorney Martin said which was why they did both studies.

Mr. Carabetta said currently they are showing a convenience store but they are also showing space for a future entity such as a Dunkin Donuts or a Subway and asked if they factored that into their equation. Mr. Alman said that there is no way to factor that and said when using the generation rates they are based on studies of real places and are not just theoretical studies. Attorney Martin added that was the study that the Superintendent asked them to use because it does incorporate those potential options. Mr. Carabetta said that he wanted to clarify it. Mr. Alman said that he stated at the meeting those numbers would be low if it was a drive thru.

Mr. Meccia said that he has a couple of concerns, one being where are the deliveries going to take place such as in the front or the back of the building. Mr. Smith said that they will be on the side and there be a ramp. Mr. Meccia said that dumpster dumping is going to be kind of difficult and he knows that in the mornings neighbors will be complaining about the noise and afternoons are going to be kind a rough with traffic .

Nathan Deyo said that dumpster dumping is a quick process and they could be on and off the property in a minute and they can certainly restrict the time.

Mr. Meccia said he is concerned with the runoff and asked how deep the basin will be in the corner. He said that the bike path is behind there and a lot children and dogs are there and asked how fast will it dissipate. Mr. Smith said that it should never overflow the spillway except in a 100 year storm. Mr. Meccia said typically in July there is usually a good soaking. Mr. Smith said currently the whole site just flows directly to the corner and they are obligated to have no increase in runoff. He said that they put in a significant retention basin so that even though the calculations with those type of soils show a fraction of cubic feet per second virtually all of the runoff gets recharged without passing over the property line. Mr. Meccia asked if it is very steep and if it is a graveled or grass bottom. Mr. Smith said it is 3 to 1 and it is a grass bottom and they expect no flow out of the spillway and are going to bury a permanent erosion mat. He said that it is going to be just grass and the outlet will not be seen and is a lot easier to maintain. He said that they have graded a drivable access down into the basin so that it can be maintained.

Mr. Richards said that his biggest issue is the curb cut on Chestnut Street and he understands they moved it 15 feet. He said that he knows the property very well and he has seen a lot of backup there and said that he would rather see some type of safety improvement. He said that he doesn't know what the answer is for the bike path and maybe that entrance could be moved further west because he feels it is so close to intersection. Mr. Richards said if two cars are stacked up anyone coming out of there trying to make a left hand turn most times it could almost be an impossible feat particularly if cars are stopping at the red light on Shaker Road going south and making a right hand turn and as so as they make the right hand someone is coming out of gas station trying to make a left onto Chestnut Street. Attorney Martin said that the engineers including the DPW's Superintendent after going back and forth agreed on that location as the best optimal location for a problematic length of road.

Mr. Alman said the issues he is raising with Shaker Road are operational and hopes if the drivers can't get in the left hand lane in the cycle when it clears that they can make their left into the left hand turn lane. Mr. Richards said the key word in that sentence is hope. Mr. Alman said that they are drivers and they are human however his biggest concern is someone turning right out of the driveway and not getting focused in time for the person with a carriage walking across the bike path. He said there are not a lot of things they can do for bike path, they could put signage up and they can put in rapid flash beacons but again those are more used in places where there is a long straight a way where people can see them for a long period of time to react. Mr. Alman said his bigger concern is the reaction time for the person turning right out of the site and not paying attention. He said the issue to the west is a safety issue, to the east is an optional issue and the real problems maybe will occur during the peak hours, 2 to 3 hours during the day and he thinks it's a better option to have the optional issues a little bit on the down side but to improve the safety.

Mr. Richards said that he understands the problem and he is not saying he has the solution but he doesn't like the curb cut at that intersection so close to the intersection. Mr. Alman said that is also the location of the curb cut that was there originally. Mr. Richards said that he understands that and originally 30 years ago when there was a bar the use was different and the whole intersection was different. Mr. Richards said nothing is going to be ideal on Chestnut Street because they have a narrow lot they have to deal with. He said a better solution is a right only but that doesn't do anything for the argument they are making for the safety of the bike path. Mr. Alman said when Mr. Smith first showed him the plan he asked him if he could move it further away. He said when he starting looking at it and looking at pictures where the bike path is he said he gets nervous about people turning right and not paying attention.

Mr. Carabetta said that he had a meeting that day with Bob Peirent, Superintendent of Public Works and one of the suggestions he made was right now there is a raised curb that lets pedestrian traffic flow both ways effortlessly. He said one of his suggestion was to put something there that would stop that so at the very least pedestrians would have to turn their bodies to see what is coming. Mr. Carabetta said that the argument Mr. Peirent made was if someone was jogging with ear plugs and pushing a baby carriage they are not paying attention. He said that they basically have a straight path in and they may look quick and if somebody pulls out it's a recipe for disaster. Mr. Carabetta said that he thinks the pedestrian traffic could be slowed down either by them or the applicant. Mr. Alman said the issue is how is that done.

Attorney Martin said that they have no objection to that and at one of the round tables the Police said that they originally went with nothing so that they could zoom down there in case of an emergency.

He said they have no objection in terms of the overall design to incorporate something to slow down the bikers, runners, joggers or carriage pushers. Mr. Carabetta said he thinks there is an agreeable solution. Mr. Alman suggested that they could put in speed bumps for pedestrians. Mr. Carabetta said that was certainly an option.

Mr. Richards asked what was the footprint of the main level is not counting the basement. Mr. Smith said 4,500 square feet. Mr. Richards said that he was a little confused when the total was said 4,500 and split in half. Mr. Smith said that the main floor is 4,500 square feet and the basement is 2,000 square feet. Mr. Richards said that is a total of 6,500 square feet, one floor and basement and said that the 4,500 square foot convenience store seems pretty substantial. Mr. Smith said that it is substantial yes but it is typical these days and fairly standard. Mr. Richards said he agrees it's standard but it sounds pretty substantial as compared to gas sales. He said the conversation started out as the heavy emphasis was on gas and a secondary use as a convenience store, where as it really sounds like convenience store is pretty primary. Mr. Richards said a 4,500 square foot convenience store with a leased area for either Dunkin Donuts or Subway sounds like the convenience store is more than just incidental.

Mr. Carabetta said for some clarification he knows that they talked about the 4,500 for one level and in the rendering they show two dormers up above and the building which could in fact be big enough to put on a second floor and asked if there was any intent on doing that. Attorney Martin said no that it's for light. Mr. Carabetta said they showed the entrance being past the building and the drawing that he is looking at currently really doesn't show that. He asked if they could give the Board an idea where that projection is going to end up. Mr. Smith explained that it would be right up to the parking lot and pointed it out on the plan. Mr. Carabetta asked if the canopy over the gas pumps will conflict with any of the traffic site lines. Mr. Smith said that it is set back generously. Mr. Carabetta asked what the two elevations are to the top of the road to the canopy. Mr. Smith said the grade at the canopy is average is about 228 to the ground and the clearance is 14.6 feet. Mr. Carabetta asked what is the highest elevation to the road from the bottom elevation. Mr. Smith said that road will be at approximately 229.5 which is about 1.5 feet below the road. Mr. Carabetta said the parking on the left is employee parking & vacuum cleaners, is that correct? Mr. Smith said yes. Mr. Carabetta said another concern he has is that the opposite two corners are zoned for the same thing and said that their project is going to impact the intersection and any future development will impact the intersection as well. He said with that being said he likes the idea of the traffic turning right and at the very least it takes the tractor trailer trucks out of the intersection and he said at peak hours if a tractor trailer is trying to get through with the traffic he thinks it will be one less thing if they can get them to turn right. Mr. Alman said if they turn right then they are going over the crossing and if they restrict it to right turn only for tractor trailers there is no way the cars are going to observe it. Mr. Carabetta said that he is not disagreeing with that.

Attorney Jim Sheils said with regard to trailers leaving to the right Belcher's principal supplier is United located on Shaker Road so they would be directing their principal hauler away from their place of business.

Mr. Deyo said that they would be directing them away across the bike path to do a U-turn to go back across the bike path. Mr. Carabetta said that is a valid point.

Mr. Alman said the yellow beacon is going to be above the sign. Mr. Page said that wasn't the question and said the question was what is going to draw someone's attention. Mr. Alman said chances are the beacon will attract someone's attention more rapidly because it is pedestrian activated.

Mr. Kingston added that one is being used on Maple Street currently and it is effective Attorney Martin said walkers tend to use it but runners or people on their bikes tend not to. Mr. Kingston asked if it is their intent to get a beer & wine license. Mr. Davis replied yes.

Mr. Meccia asked if it is primarily gas or will there be diesel there also. Mr. Smith said that there will be diesel also.

Mr. Carabetta addressed the audience for any questions.

Patricia Vangsness, Canterbury Circle asked if they have thought about one way in and way out.

Mr. Alman said that they have not looked at that and said that they could end up putting Chestnut Street & Shaker Road into level service D because all of the traffic will be put on one approach. He said with the Shaker Road driveway the new numbers are 40 vehicles turning left from the Shaker Road driveway heading north. He said if it was one way those people now become left turns from Chestnut Street onto Shaker Road and that's just one movement. Mr. Alman said that the analogy said that things will work fine even during the peak periods and said that no he has not looked at that.

Ms. Vangsness said that it looks a very narrow entrance and looks like it going to be hard for a car to come in and for a car to go out.

Mr. Carabetta asked if they have the dimensions of those. Mr. Smith said that it is 30 feet at the neck on Shaker Road and 30 feet at the neck on Chestnut Street and said routinely you see 24 feet so they are so wide to be confusing but thinks they are generous enough and easy to get in and out.

Ms. Vangsness lives on Canterbury Circle and there are probably about 150 kids with in that whole development and it is going to be a magnet for the kids. She said that her and husband tried to walk one day to La Fiorentina and took their lives in their hands trying to get there. Ms. Vangsness asked if there was going to be a sidewalk maybe put in from the development. Mr. Carabetta said that he is not disagreeing with her and they need a better sidewalk plan then what they have but it is not up to the applicants. He said that it is a town matter in which the Board is trying to address and is a concern of the Board. Ms. Vangsness said that she has sat at that intersection many times and has seen the cars come down Chestnut Street and they don't stop. She asked if there is a light up on Chestnut Street flashing stating there is a red light. Mr. Alman said yes beyond the crest coming down Chestnut Street there is sign that says signal ahead and when it is red it says red signal ahead.

Bob Hill, 31 Oakbrook Drive and said that he owns property at 301 & 305 Shaker Road and is the principal of United Transport. He said that he could speak to the station itself and it is probably one of the easiest stations for a tractor trailer to get in and out of. Mr. Hill said that he disagrees and doesn't think it is going to be an issue with going left onto Chestnut Street only because the light is delayed coming down Chestnut Street to give traffic plenty of time to get out of there to get back into Chestnut Street going east. He said Shaker Road has a delay going left onto Chestnut Street and it gives

traffic coming out of that station plenty of time to get into the line of traffic going either south or north on Shaker Road. Mr. Hill said that he has known L E Belcher and has associations with them for about 40 years and they are certainly a quality company and doesn't think anyone needs to speak about the Davis Family.

Athene Zaleski, Green Willow Drive, Longmeadow said on the traffic study she did not hear mentioned anything about air pollution for pedestrian walkways and pedestrian seating that is anticipated or dining outside whether any thought was given to that with the increased traffic particularly with queuing and the intersection. She said it might be problematic if it is going to be operational 24 hours a day for neighboring surrounding areas and might be something that the engineers and architects should consider. Ms. Zaleski said that there was mention about parking in front of the store and she would suspect that they will have plate glass so their attendants can visually keep their eyes on the pumps. Ms. Zaleski said that she wasn't sure if their traffic engineer has taken a look at the intersection and calculated the amount of accidents that may have occurred. She said that she agrees with Mr. Kingston hearing about with a Subway or a potential Dunkin Donuts and said that Dunkin Donuts has trailers to deliver their food stuff and she thinks it gets into the issue with a title 5 with the restaurant and food preparation and takes the project into a whole different level. She said that she just mentioned that has a courtesy to the Planning Board to keep that in mind with liquor deliveries and beer & wine that might be anticipated.

Mr. Carabetta said as far as pedestrian traffic conflicting with the vehicle traffic he said unfortunately that is part of the situation any where you go. He doesn't think their situation will be anymore unique of another gas station typical convenience store. He said currently they are proposing a gas station/convenience store and if they want to add anything they will come back before the Board.

Mr. Alman said at their round table Traffic Officer Rick Bates was there and they discussed crashes at the intersection and he said that there are no real issues there. He said Officer Bates said his biggest issue was coming down Chestnut Street from the east looking down towards the south on Shaker Road where brush was blocking the site lines. They went out and cleared it.

Ralph Mastrangelo, 42 Orchard Road said the traffic situation in the rotary is a big concern for everybody and he thinks it will help alleviate some of the Connecticut traffic. He said there are a lot of landscapers, plumbers, etc. that store their vehicles at the storage facility and that would save them from going to the center of town. Mr. Mastrangelo said that he thinks if anything the increase in traffic in that area might be minimal but he thinks it will help the traffic in the center of town.

Maryellen Fish, 259 Chestnut Street said that she is unhappy it is going to be 24/7 because right now everybody closes up mid evening or early evening which gives the neighbors a break. She said that there is going to be traffic all of time and lights lit all of the time and thinks it is going to be a magnet for the kids and a big problem for the rail trail. Ms. Fish said that she has seen the cars stacked up waiting for people crossing the rail trail and with people trying to come out of the gas station and turning it's going to make that much more of a hazard for people. She said also at the bottom of Chestnut Street if you are coming out of town from Shaker Road and you want to make a left hand turn up Chestnut at certain times of the day you have to wait for two or three lights before you can turn. Ms. Fish asked if a turn light will be installed for that traffic. Mr. Carabetta said that is something that has been raised and the opinion is wait and see. He said unfortunately they don't have all of the answers but those gentlemen have the right to go there. Mr. Carabetta said that

the Board has to also make sure that all concerns are taken into consideration and that the Board is trying to do the best they can because they know it is not a perfect site and they are trying to do the best to incorporate everything and make everyone happy.

Mr. Alman added Ms. Fish's concerns about left hand turns southbound on Shaker Road onto Chestnut Street. He said if they prohibit lefts out of their site those people are going to have to go up to Shaker Road turn right then turn left onto Chestnut Street because that would be the only way they could get back onto Chestnut Street.

Gail Morin, 226 Shaker Road said that she is not happy with the 24/7 and asked about deliveries and what time will they be getting them. Mr. Deyo said 99.9% of their deliveries are delivered during their normal business hours typically between 7:00 a.m. to 4:00 p.m. He said if they are not then they can force them to do so. Ms. Morin asked about if there is going to be an underground water system for the landscaping. Attorney Martin said there will be sprinklers. Ms. Morin asked if there is a height requirement for the sign on the corner.

Mr. Carabetta said that there are sign requirements and he doesn't think they are asking for signage just yet. He said that they will have to come before the Board with a sign permit request when they are ready to do so. Mr. Carabetta said as far as the hours, there are no zoning by-laws that regulate the hours.

Joe Morin, 226 Shaker Road said that someone could go over in the middle of the night and get a beer. Mr. Carabetta said that the sale of liquor has restrictions and he is not exactly sure what they are. Mr. Morin said that he is trying to look at it in a positive way but can't believe what they want to put up. Mr. Carabetta said that the Board is trying to balance everything and try to make everybody happy.

Glen Fish, 259 Chestnut Street said that the basement level is going to have natural drainage meaning that the basement will be at ground level so the first floor of the gas station building will be approximately 8 feet above that floor level and asked where that 8 feet will bring it. Mr. Smith said the driveway off of Chestnut Street will come up from the road and raise about 2 feet. Mr. Fish asked how the grade level of the rail trail compares to the grade level of the first floor of the building. Mr. Smith said that it is going to grade down to the rail trail with a small buffer between. Mr. Fish suggested that instead of having the gas pumps straight across a lot of stations angle them about 15 degrees. Mr. Smith said that they are widely spaced pumps to make maneuvering a lot easier. He said that they have about 10 feet more between the pumps so that a larger vehicle can make the swing. He said that they only do the angled dispensaries when they don't have the room but they have plenty of room on the site.

Mr. Deyo said the other issue is with angling the dispensaries it makes a blind spot for the cashiers. He said that they are looking to have their cashiers looking right outside of the plate glass windows so they can see exactly what is going on at the pumps for safety reasons.

Mr. Morin asked if they could widen the road maybe 5 feet by the turn lane so that people can go around the people making a left turn. Mr. Carabetta said that they can only ask so much of the applicants.

Ms. Morin asked if there are going to be outside trash receptacles and if so how many will there be. Mr. Deyo said yes and there will be about ten.

Bob Adams, Redin Drive said he has some concerns with the driveway exiting out onto Chestnut Street. He asked why the driveway isn't moved down towards the bike path and made wider. Mr. Carabetta said that the general consensus from their engineer and the town engineer moving the driveway further from the bike path is that it is safer for everyone on the bike path. Mr. Adams said a stop sign needs to be at the bike path and the driveway coming. He said that he doesn't care how wide the driveway is as long as the cars can go out and take a left hand turn and take a right hand turn to go to Longmeadow.

Mr. Kingston said that the Police Department is the only department that can determine whether or not a stop sign is appropriate. He said that they have certain guidelines from the state that they have to adhere to.

Mr. Adams said a stop sign on their property can be approved by the Board of Selectmen and that is where it needs to be. Mr. Carabetta said that it has been proposed by the applicants on their property.

Mr. Morin asked if they could use parking lot lights that are horizontal and face straight down. Mr. Meccia said a lot of the proposed lighting is LED lighting and there is a lot more control over LED lighting then what's in that parking lot currently. He said that is old school lighting and what they are proposing is new school lighting which is a lot more controlled and it has specific areas where it is aimed.

There being no further questions and upon motion duly made by George Kingston and seconded by Alessandro Meccia, the Board voted unanimously (5-0) to close the public input.

Mr. Kingston said before they make a decision he would like to know if they have a set of definitive plans that evening. He said that he saw them sketching on the plan to show where the canopy was going to be. Mr. Smith said the canopy is on the plans they had with them that evening and the only thing it does not reflect is the one additional parking space. Attorney Martin said that plans were distributed and are on file the previous day and at the round table Ms. Macdonald suggested one more parking space and they haven't added that in but other than that the definitive set is on file. Mr. Kingston said that he wanted to make sure because he has seen several sets. He said one other thing for his clarification they are showing two underground tanks and asked if they are segmented so they can get their two different grades in there. Mr. Martin said yes they are double wall one will be a compartment tank for super and diesel and the other will be regular.

Mr. Carabetta said that he likes the plan and thinks it great and thinks it will be an asset to the town. He said however is some concerns for safety traffic and in speaking with the DPW that day he respectfully disagrees with their C & D and their 945, 853 so he would like to sit down again with the DPW Superintendent because he had some great ideas. Mr. Carabetta said that he doesn't think they have all the information they need that evening and he would like to have another round table with all parties involved.

Upon motion duly made by George Kingston and seconded by Ralph Page, the Board voted unanimously (5-0) to continue discussions to March 25, 2014 at 5:30 p.m.

Request for Waiver of Site Plan – Insight Sales, 11 Overbrook Road

Clerk, Tyde Richards read a Request for Waiver of Site Plan Review from Stephen Yacovone d/b/a Insight Sales, 11 Overbrook Road to operate an office for on-line internet sales and transfers of firearms and accessories at this location. Mr. Yacovone will be the only employee and this site is for office work only. There will be no product stored on site and there will be no commercial vehicles on site.

Upon motion duly made by George Kingston and seconded by Ralph Page, the Board voted unanimously (5-0) to approve the Request of Waiver of Site Plan Review for Stephen Yacovone d/b/a Insight Sales, 11 Overbrook Drive conditioned on no retail operation at the location, no employees other than the owner, no signage and no clients going to the site. The office is not to occupy any more than 20% of the total floor area of the dwelling, including the basement area and there will be no clients going to this site. The applicant will provide the Board with a copy of the Federal Firearms license to sell as soon as it is available. The applicant provided a copy of his Federal Firearms License 03-Collector of Curios and Relics. If there are any changes in the operation, the applicant must appear before the Planning Board again to discuss those changes.

Request for Waiver of Site Plan – Fashionista Designs, 41 Alandale Drive

Clerk, Tyde Richards read a Request for Waiver of Site Plan Review from Wendy Lanios, Fashionista Designs, 41 Alandale Drive to operate a home office using the computer work relating to scarves, wreaths, and other products. The use is strictly for computer and telephone use and there will be no clients coming to the site and there are no commercial vehicles, no materials and no equipment at this site. No employees or sub-contractors or the like will visit the site. The only person authorized to operate this business office is the applicant. The hours of operation are not set hours variable – 10 hours per week.

Upon motion duly made by Ralph Page and seconded by George Kingston, the Board voted unanimously (5-0) to approve the Request of Waiver of Site Plan Review for Wendy Lanios, Fashionista Designs, 41 Alandale Drive conditioned on no retail operation at the location, no employees other than the owner nor any signage placed at the site. The use is strictly for computer and telephone use and there will be no clients going to the site. The office is not to occupy any more than 20% of the total floor area of the dwelling, including the basement area and the area granted to TCL & Associates, Wendy & Theodore Lanois on October 16, 2008 and a Waiver to Dyanne Puglia Golden Eon Productions on March 1, 2011 at this same address. If there are any changes in this operation, the applicant must appear before the Planning Board again to discuss those changes.

Request for Waiver of Site Plan – East Brook Landscaping, 20 Lynwood Road

Clerk, Tyde Richards read a Request for Waiver of Site Plan Review from Andre Sample East Brook Landscaping, 20 Lynwood Road to operate a home office using the computer and telephone, both relating to his landscaping business. All equipment is stored in Hampden with no commercial vehicles, no materials and no equipment at this site. No employees or sub-contractors

will visit the site. The only person authorized to operate this business office is the applicant. The hours of operation are Monday through Friday 9:00 a.m. to 5:00 p.m.

Upon motion duly made by George Kingston and seconded by Alessandro Meccia, the Board voted unanimously (5-0) to approve the Request of Waiver of Site Plan Review for Andre Sample, East Brook Landscaping, 20 Lynwood Road conditioned on no retail operation at the location, no employees other than the owner nor any signage placed at the site. The use is strictly for computer and telephone use and there will be no clients going to the site. The office is not to occupy any more than 20% of the total floor area of the dwelling, including the basement area. If there are any changes in this operation, the applicant must appear before the Planning Board again to discuss those changes.

Street Taking – Fenway Drive

Clerk, Tyde Richards read a request for street taking for Fenway Lane from Charles Richard.

Mr. Carabetta asked Ms. Macdonald if Mr. Miorandi has done his inspection yet. Ms. Macdonald said that Mr. Miorandi has not done the inspection but will do it before town meeting. Mr. Carabetta said rather than Mr. Richard presenting it to town meeting he is asking the Planning Board to do so.

Mr. Page asked why. Mr. Carabetta said because he has the right and he doesn't think it is unusual to do to it as long as he has met the Board's and the town's criteria. Mr. Page suggested that the Board agrees to do it based on the road being ready to be taken. Mr. Carabetta said that the Board can't until everything has been met.

Mr. Kingston asked Mr. Carabetta if the Board can wait until DPW looks at it. Mr. Carabetta said that they can make the motion that evening and if Mr. Richard's defaults on his end of it then they can't represent it at town meeting. He said that the Board has to make sure that Mr. Richard meets all the criteria before they present it to the town. Ms. Macdonald said that it basically saying that the Planning board will provide the motion at the town meeting. Mr. Carabetta said if the road is not done the Board will not present it.

After further discussion the Board agreed to wait until Mr. Richard is further along.

Building Inspector letter regarding Graziano's

Mr. Richard read the following letter to the record:

Daniel Hellyer
Building Commissioner
60 Center Square
East Longmeadow, MA 01028
RE: Graziano Gardens surmised Violation of Zoning By-Laws

Dear Mr. Hellyer:

Please be advised that the Planning Board believes that the property on Maynard Street identified as parcel id 35-12-C, owned by Christopher and Donna Graziano is in violation of the East Longmeadow Zoning By-law as it pertains to frontage as defined in the zoning by-laws.

Therefore, please consider this an official complaint. To support this complaint the Board provides you with a picture of the parcel. The Board requests that you investigate this apparent violation and submit your findings to them in a written report within 14 days pursuant to § 7.10 d. of the zoning by-laws. Very truly yours, Michael Carabetta, Chairman and Cc to Board of Selectmen.

After discussion the Board agreed to send the letter and if the Building Inspector does not act on the letter the Board they will proceed to the Board of Appeals.

Arbors Kid Letter

Mr. Richards read a letter to Jason Robertson, Elm development Services, LLC and CC to Board of Selectmen and Building Commissioner regarding Arbors Kids, 126 Industrial Drive day care center renting out fields and courts to the public for a fee.

After discussion the Board agreed that it is not an allowed use and Mr. Carabetta signed the letter and asked Ms. Macdonald send it.

There being no further business and upon motion duly made by George Kingston and seconded by Ralph Page, the Board voted to close the meeting at 9:45 p.m.

For the Board,

Tyde Richards, Clerk